

IN RE: PETITION FOR VARIANCE
W/S East Drive, 20' S of the
c/l of Maple Avenue
(5410 East Drive)
13th Election District
1st Councilmanic District

Frank D. Moran, Sr., et al
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-419-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance for that property known as 5410 East Drive, located in the vicinity of Sulphur Spring Road in Arbutus. The Petition was filed by the owners of the property, Frank D. Moran, Sr., and Stephen J. Moran. The Petitioners seek relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.6.A.2 to permit 5 parking spaces in lieu of the required 48, and from Section 235.A.4 to permit a .0 amenity open space ratio in lieu of the required .2. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Frank D. Moran, Sr., owner of the property, and David Silbegger. There were no Protestants or other interested persons present; however, it should be noted that this property is the subject of an active zoning violation (Case No. C-96-5375, Citation No. 97-182), concerning two storage trailers.

Testimony and evidence offered revealed that the subject property consists of a gross area of 18,406 sq.ft., zoned B.L.-C.C.C., and is improved with a 13,844 sq.ft. building, which has existed on the property for more than 20 years. Mr. Moran testified that he has owned and operated

ORDER RECEIVED FOR FILING

Date 5/21/97

By [Signature]

a bingo supply business, known as Frank Moran & Sons, Inc., from the subject property for the past 12 years. Further testimony revealed that for the past 8 years, the Petitioners have stored two trailers in the rear portion of the property which were used as storage space. Apparently, during a routine inspection of the area, the Petitioners were advised that these storage trailers were in violation of the zoning regulations and that a variance was necessary. The Petitioners now come before me seeking relief to replace these storage trailers with a 1,000 sq.ft. addition to the rear of the existing building. The two trailers will be removed from the property upon completion of the proposed addition. The proposed improvements are not intended as an expansion of the existing business and will not result in any increase in the number of individuals employed at this site. However, the proposed addition results in an increase in the number of parking spaces required to support the use on the subject site. Testimony indicated that the property is conveniently located along an MTA bus route and that metered parking is located across from the subject site. Therefore, while parking on the subject site has always been deficient, it has not resulted in any detriment to the health, safety or general welfare of the surrounding locale. Furthermore, testimony indicated that the Petitioners have been actively involved in the revitalization of downtown Arbutus and that they have made extensive improvements to the subject property, including exterior upgrades and landscaping, in an effort to enhance its overall appearance. However, due to the small size of the property and the location of existing improvements thereon, the requested variances from parking and amenity open space requirements are necessary.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

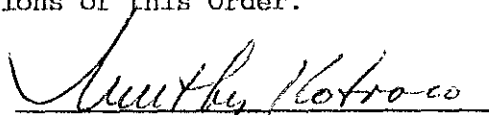
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 20th day of May, 1997 that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.)

as follows: From Section 409.6.A.2 to permit 5 parking spaces in lieu of the required 48, and from Section 235.A.4 to permit a .0 amenity open space ratio in lieu of the required .2, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The two storage trailers shall be removed from the premises immediately upon completion of the proposed addition.
- 3) Prior to the issuance of any permits, Petitioners shall submit a landscape plan for review and approval by the Baltimore County Landscape Architect.
- 4) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

May 20, 1997

Mr. Frank D. Moran, Sr.
5410 East Drive
Arbutus, Maryland 21227

RE: PETITION FOR VARIANCE
W/S East Drive, 20' S of the c/l of Maple Avenue
(5410 East Drive)
13th Election District - 1st Councilmanic District
Frank D. Moran, Sr., et al - Petitioners
Case No. 97-419-A

Dear Mr. Moran:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. John L. Mellema
5409 East Drive, Baltimore, Md. 21227

People's Counsel; Case Files



RE: PETITION FOR VARIANCE	*	BEFORE THE
5410 East Drive, W/S East Drive,	*	ZONING COMMISSIONER
20' S of c/l Maple Avenue	*	OF BALTIMORE COUNTY
13th Election District, 1st Councilmanic	*	CASE NO. 97-419-A
Frank D. Moran, Sr. and Stephen J. Moran		
Petitioners		

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of May, 1997, a copy of the foregoing Entry of Appearance was mailed to John L. Mellema Land Surveyors, 5409 East Drive, Baltimore, MD 21227, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

419



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

97-419-A

5410 EAST DRIVE

which is presently zoned

BL. CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

409.6.A.2. to permit 5 existing parking spaces in lieu of 48 and
235A.4 to permit a .0 amenity open space ratio in lieu of .2.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Building Already has a parking deficiency and the proposed addition will cause even more of a deficiency. All customers and employees have always used OFF-SITE parking such as metered parking and adjacent public parking lot.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s):

FRANK D. MORAN SR.
(Type or Print Name)

Frank D. Moran Sr.
Signature

STEPHEN J. MORAN
(Type or Print Name)

Stephen J. Moran
Signature

5410 EAST DRIVE (410) 242-6233
Address Phone No

Arbutus Md. 21227
City State Zipcode

Name, Address and phone number of representative to be contacted.

John L. McElenna Land Surveyors
Name

5409 EAST DRIVE (410) 247-7488
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 hr
unavailable for Hearing

the following dates _____ Next Two Months

ALL / OTHER _____

REVIEWED BY: MDH DATE 3/27/17

ORDER RECEIVED FOR FILING

Date 3/29/17
By [Signature]

Printed with Soybean Ink
on Recycled Paper



JOHN C. MELLEMA, SR. INC.
5409 EAST DRIVE
BALTIMORE, MARYLAND 21227
MARCH 19, 1997

97-419-A

DEED DESCRIPTION FOR 5400-5410 EAST DRIVE

Beginning for the same at the intersection of the Westernmost right-of-way line of East Drive (63 feet wide) and the Southernmost right-of-way line of Maple Avenue (34 feet wide), thence leaving the Southernmost right-of-way line of Maple ave and runing with the Westernmost right-of-way line of East Drive South 45 degrees 29 minutes 47 seconds West for a distance of 134.40 feet, thence leaving the Westernmost right-of-way line of East Drive and running with the rear property line of lots 138, 139, 140, 142 and 143 as shown on a Plat Entitled Arbutus Terrace and recorded in Baltimore County Maryland in Plat Book 7 folio 17, North 09 degrees 17 minutes 15 seconds West for a distance of 206.58 feet to the rear corner of lots 143 and 144, thence running with the line between lot 143 and 144, North 80 degrees 11 minutes 45 seconds East for a distance of 108.63 feet to intersect the Southernmost right-of-way line of Maple Avenue South 09 degrees 48 minutes 15 seconds East for a distance of 130.07 feet to the place of beginning containing 0.4226 acres of land more or less.

Bearings based on magnetic North March 1997.

John C. Mellem Sr.

419

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 025765

DATE 3-27-77 ACCOUNT 01-615
2.10 m. 414
By - 2500 AMOUNT \$ 250.00

RECEIVED
FROM: Forest View - 5410 East Pine

FOR: 020 - Comm. Varnice - \$250.00

UNAPPORTIONED
BY COLLECTOR 03-27-77 \$250.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 10, 1927

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 10, 1927.

THE JEFFERSONIAN,

A. Henricsson

LEGAL AD. - TOWSON

90-14
ALL THAT LOT C,
MENTS THEREON situa-
land and described as follow-
BEING KNOWN AND DE-
Block A, Plat of Lochearn, &
corded among the Land Re-
in Plat Book C.H.K. No. 19
ments thereon being known.
The property is improved.
3rd, Attorneys
14 Street
Baltimore 21202
JUSTICES' SALE
OLD PROPERTY
AS
H ROAD
Baltimore 21222
power of

CERTIFICATE OF POSTING

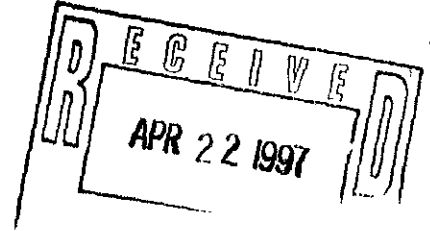
RE: Case No.: 9A-419-A

Petitioner/Developer: _____

FRANK & STEPHEN MORAN

Date of Hearing/Closing: MAY 8, 1997

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204



Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at _____

5410 EAST DRIVE

The sign(s) were posted on SAME SIGN
REPOSTED IN WINDOW 4-21-96
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

ZONING NOTICE

Case #: 97-419-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE: 111 CHESAPEAKE AVENUE
TIME & DATE: MAY 8, 1997 AT 2:30 PM.

REQUEST: VARIANCE TO PERMIT 5

EXISTING PARKING SPACES IN LIEU

OF 48 AND TO PERMIT A 0 AMENITY

OPEN SPACE RATION IN LIEU OF 2

120 LOCATE

70 WINDOW

540 EAST D

NOTICE TO HEARER TO BE HELD IN THE

BOARD OF ZONING APPEALS

AND TO CONFIRM HEARING

DATE: MAY 8, 1997

TIME: 2:30 PM

PLACE: 111 CHESAPEAKE AVENUE

TOWSON, MD 21204

FOR MORE INFORMATION

CALL 410-516-1234

OR VISIT THE WEBSITE

WWW.TOWSONMD.GOV

FOR MORE INFORMATION

CALL 410-516-1234

OR VISIT THE WEBSITE

WWW.TOWSONMD.GOV

FOR MORE INFORMATION

CALL 410-516-1234

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FOR MORE INFORMATION

CALL 410-516-1234

OR VISIT THE WEBSITE

WWW.TOWSONMD.GOV



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 419

Petitioner: 5410 East Drive

Location: Frank Moran, Sr.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Frank Moran, Sr.

ADDRESS: 5410 East Drive

Abtco, Inc 21227

PHONE NUMBER: (410) 242-6230

AJ:ggs

(Revised 09/24/96)

Request for Zoning Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than * _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE**Case No.:** _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: * _____**DATE AND TIME:** * _____

REQUEST: to permit 5 existing parking spaces in lieu
of 48 and and to permit a .07 amenity open
space ratio in lieu of .2.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW**HANDICAPPED ACCESSIBLE**

TO: PUTTENT PUBLISHING COMPANY
April 10, 1997 Issue - Jeffersonian

Please forward billing to:

Frank D. Moran, Sr.
5410 East Drive
Arbutus, MD 21227
247-7488

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-419-A
5410 East Drive
W/S East Drive, 20' S of c/l Maple Avenue
13th Election District - 1st Councilmanic
Legal Owner(s): Frank D. Moran, Sr. and Stephen J. Moran

Variance to permit 5 existing parking spaces in lieu of 48 and to permit a .0 amenity open space ration in lieu of .2.

HEARING: THURSDAY, MAY 8, 1997 at 2:30 p.m., Rom 106 County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 7, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-419-A
5410 East Drive
W/S East Drive, 20' S of c/l Maple Avenue
13th Election District - 1st Councilmanic
Legal Owner(s): Frank D. Moran, Sr. and Stephen J. Moran

Variance to permit 5 existing parking spaces in lieu of 48 and to permit a .0 amenity open space ration in lieu of .2.

HEARING: THURSDAY, MAY 8, 1997 at 2:30 p.m., Rom 106 County Office Building, 111 W. Chesapeake Avenue.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with the first name "Arnold" and last name "Jablon" clearly distinguishable.

Arnold Jablon
Director

cc: Frank and Stephen Moran
John C. Mellema Land Surveyors

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 23, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 6, 1997

Messrs. Frank and Stephen Moran
5410 East Drive
Arbutus, MD 21227

RE: Item No.: 419
Case No.: 97-419-A
Petitioner: Frank and Stephen Moran

Dear Messrs. Moran:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 27, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 4.4-97
Item No. 419 MJK

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

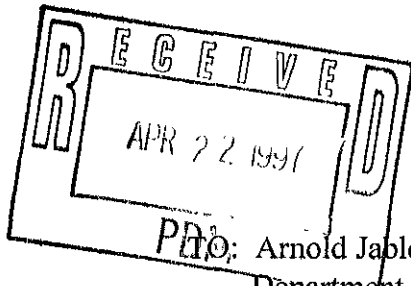
P. J. Gredlein
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

PRO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: April 18, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: 5410 East Drive

INFORMATION

Item Number: 419
Petitioner: Moran Property
Zoning: BL-CCC
Requested Action: Variance

Summary of Recommendations:

The subject property is located within the Arbutus Revitalization area. The proposed building addition will involve the removal of an existing storage trailer, which will enhance the property and the area as well. The parking variance is not of concern due to the site's proximity to a Revenue Authority metered parking lot, and the fact that the number of employees is not increasing.

It should be noted that this property is located within the area of the Arbutus Streetscape program; therefore, the applicant should contact Ray Heil, Commercial Revitalization Specialist, at (410) 887-8022 for additional information regarding the streetscape program.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

AFK/JL

INTEROFFICE CORRESPONDENCE

Date: April 14, 1997

CONFIDENTIAL

ZONE414.419

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: April 9, 97

FROM: R. Bruce Seeley *RS/gp*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: April 7, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:	410	418
	411	419
		422
	414	421
	417	424

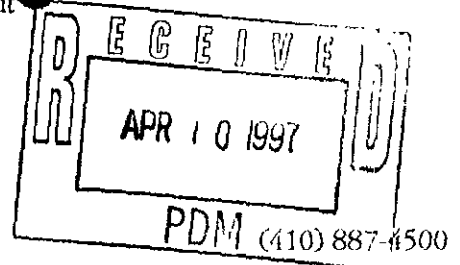
RBS:sp

BRUCE2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500



April 9, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: AMOCO OIL COMPANY - 414
LOUIE HAMPTON - 418
FRANK D. MORAN, SR. &
STEPHEN J. MORAN - 419
COLUMBUS CLUB OF OVERLEA, INC. - 421
PADONIA VILLAGE, INC. - 422

Location: DISTRIBUTION MEETING OF APRIL 7, 1997

Item No.: 414, 418, 419, 421 & 422 Zoning Agendas

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plan for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.





Code

Enforcement

Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: April 10, 1997

TO: Larry E. Schmidt
Zoning Commissioner

FROM: James H. Thompson - DP
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 419

PETITIONER: F. Moran and Sons
Frank Moran, Sr., President

VIOLATION CASE NO.: C-96-5375
97-182 (Citation)

LOCATION OF VIOLATION: 5410 East Drive
Baltimore, Maryland 21227
13th Election District

DEFENDANTS: F. Moran and Sons
Frank Moran, Sr., President
5410 East Drive
Baltimore, Maryland 21227

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME

ADDRESS

Lydia Steadman

1336 Poplar Avenue
Baltimore, Maryland 21227

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/DP/hek

Frank Moran and Sons, Inc.

Frank D. Moran
5410 East Drive
Arbutus, MD 21227

Telephone 410-242-6233
Fax 410-531-9760

97-419-A

Frank Moran and Sons has been located at 5410 East Drive since 1983. Our primary business is the production and distribution of bingo supplies. We have consistently employed twelve people and see no future grounds for additional employees. Our staff consists of, three office personnel, three production people, three men in our shipping and delivery department and three salesmen. We conduct no retail business and there is never any walk in trade.

Our location is conveniently situated on the number 3 bus route and several of our employees rely on the transit system for their transportation to and from work

We are a member in good standing of the Arbutus Business Professional Association and we are actively involved with the current committee for the revitalization and beautification of the downtown Arbutus.

We own the 5400 block of East Drive. Over the past ten years we have invested approximately \$70,000 in refurbishing the block. This includes paving the back parking lot, upgrading the exterior of the store fronts, new roofing and walkways, and landscaping.

Ten years ago we joined hands with the then County Executive Dennis Rusmussen and along with Baltimore County helped to revitalize downtown Arbutus. It was a great success.

Frank D. Moran Jr.

419

97-419-A

419

This Deed, MADE THIS 1st. day of October

in the year one thousand nine hundred and eighty-seven

by and between

HELEN MENDELSON

of Baltimore County, State of Maryland

of the first part, and

F.S.J., INC., a body corporate of the State of Maryland

of the second part.

WITNESSETH, That in consideration of the sum of Four Hundred Forty Five Thousand Dollars (\$445,000.00) the receipt whereof is hereby acknowledged,

the said party of the first part

D ALOF 12.00

do es grant and convey to the said party of the second part, its

D T TX 2225.00
D DOCS 2225.00
DEED
SH CLERK 4462.00
#21013 C002 RO2 T14:
10/06.

~~personal representatives/successors and assigns~~

, in fee simple, all

those lots of ground situate in Baltimore County, Maryland

and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lots Nos. 138, 139, 140, 141, 142 and 143 as shown on the Plat of Arbutus Terrace, which Plat is recorded among the Land Records of Baltimore County in Plat Book WPC No. 7, folio 17.

FOR TITLE OF THE GRANTOR see the following:

1. Deed dated April 12, 1944 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1341, folio 29 from Andrew Lombardo and wife unto Herman Schofer and Rena Schofer, his wife, as tenants by the entireties.
2. Deed dated November 30, 1962 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4079, folio 420 from Genevieve Marie Birx to Herman Schofer and Rena Schofer, his wife, as tenants by the entireties.
3. The said Herman Schofer died on or about March 21, 1977 thereby vesting title in his wife, Rena Schofer, who departed this life on or about March 30, 1967, intestate (Baltimore City Estate No. 91828), leaving as her only heir at law her daughter, Helen Mendelsohn, the grantor herein.

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE AT DATE 10-6-87

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION

CLERK AT DATE 10-6-87

B

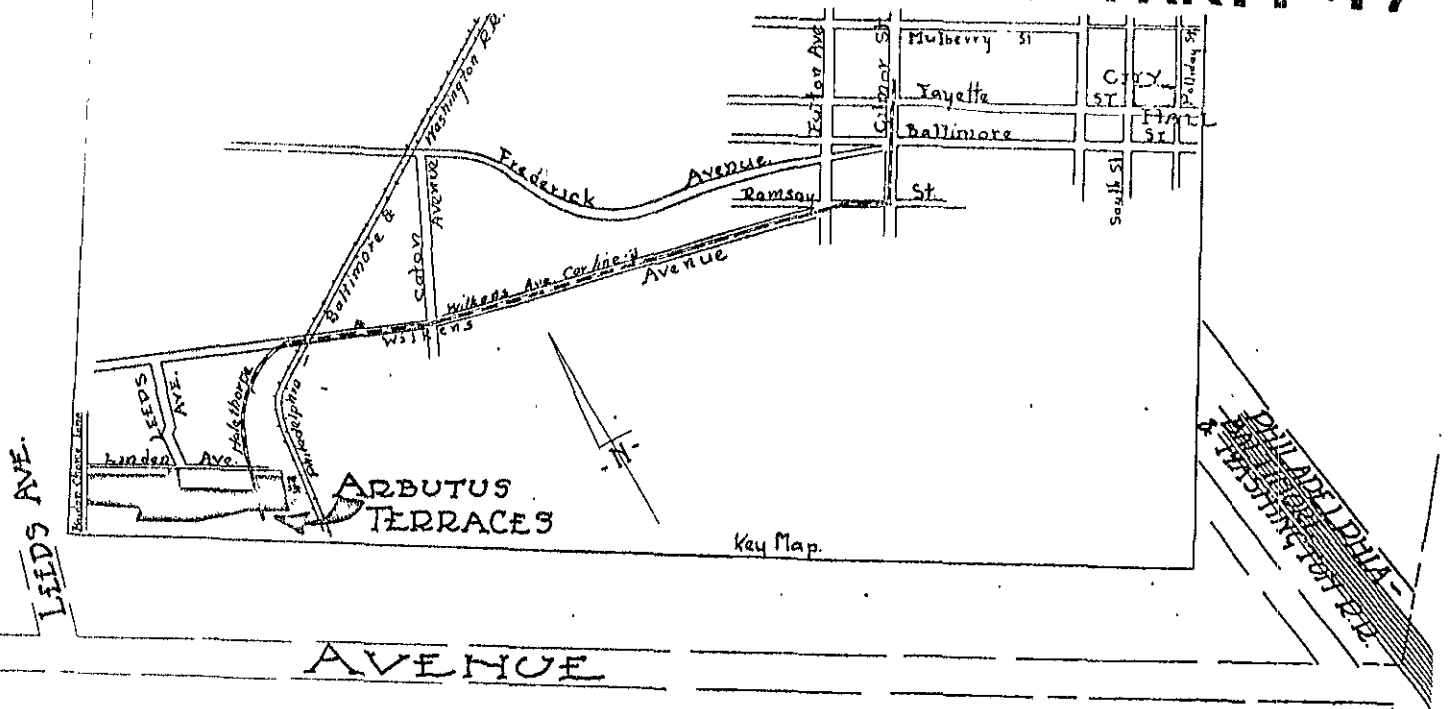
B 33E****212600:a 2060A

2215
2215
2212

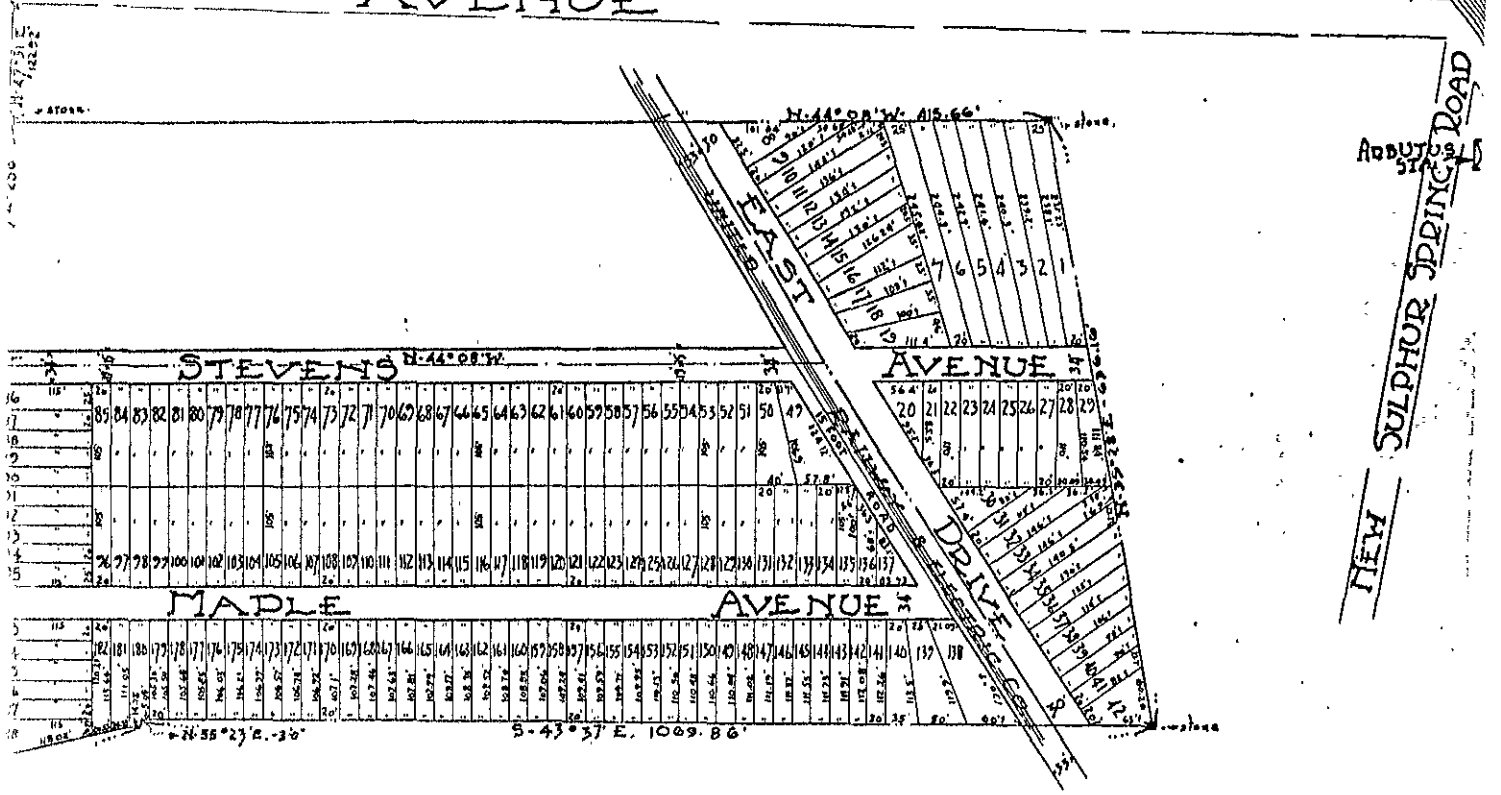
97-419-A

419

W.P.C. No 7 PART 1-17



AVENUE



ARBUS-TERRACES

SUBDIVIDED BY
 MYERS & MYERS
 VICKERS BLDG. BALTO. MD.
 SURVEY & PLAT BY
 J. SPENCE-HOWARD
 CIVIL & CONSULTING ENGR. BALTO. MD.

#419 --- MJK

1. Sign form is incorrect/incomplete.

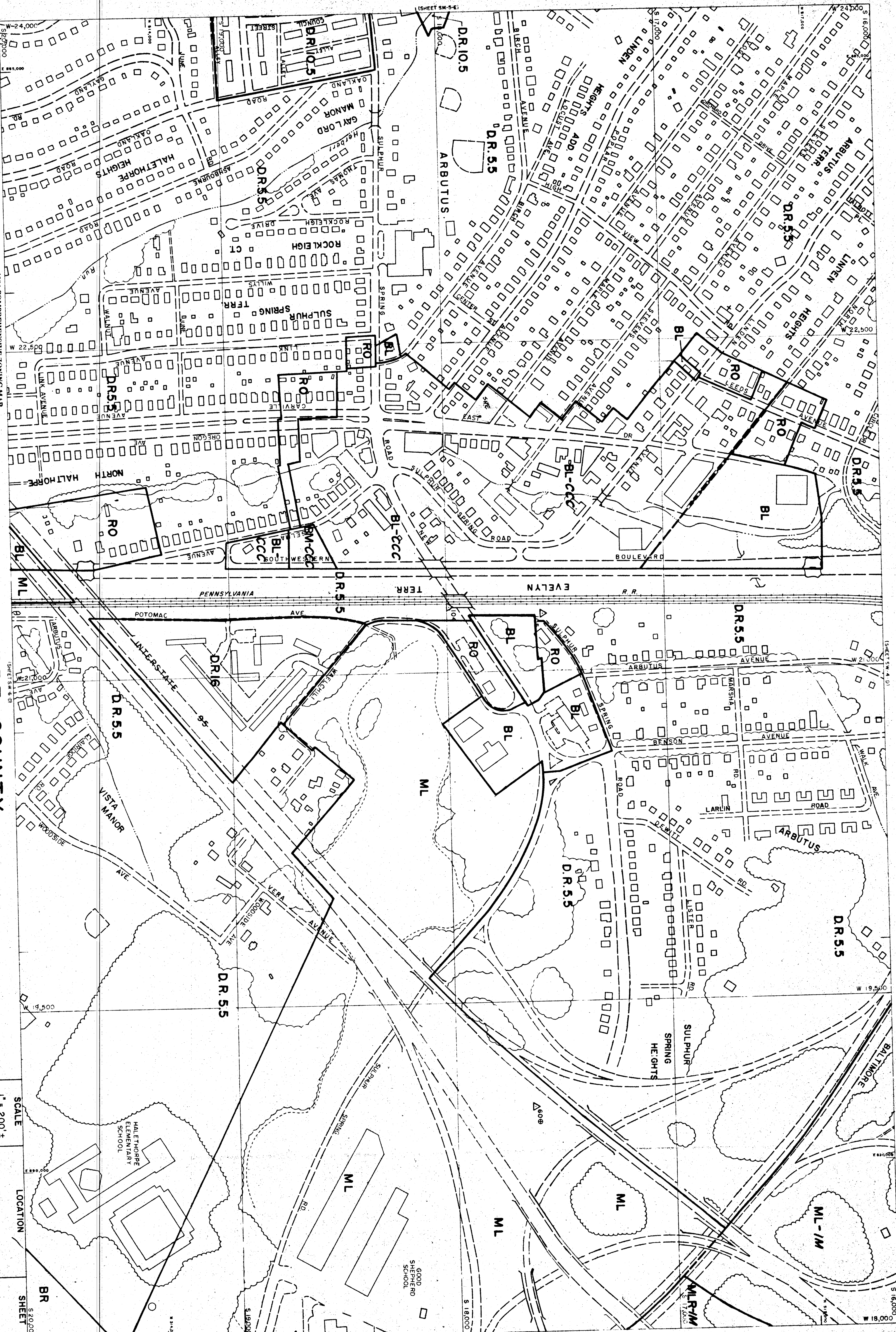
#422 --- RT

1. Need printed or typed name of person signing for legal owner.
2. Need printed or typed title of person signing for legal owner.
3. Need printed or typed name of person signing for contract purchaser.
4. Need printed or typed title of person signing for contract purchaser.
5. Need authorization for person signing for attorney.

#424 --- RT

1. No section number or wording on petition form.
2. Notary section is incomplete.

4/1/97



G-SW
C-NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
ON FEBRUARY 2, 1996
BCE Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

Karin Kamarey
Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200'	HALETHORPE	S.W. 5-D
DATE OF PHOTOGRAPHY JANUARY 1986		

97-419-A

419

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS : 5408/5410 EAST DRIVE
SUBDIVISION NAME : ARBUTUS TERRACE
PLAT BOOK W.P.C. 7, FOLIO 17 LOTS 138-143
OWNER: F.S.J., INC.

AMENITY OPEN SPACE : 0.2
ACREAGE OF SITE : 18,406 SQ. FT.

FLOOR SIZE = 13,844 SQ. FT.
LOT SIZE = 18,406 SQ. FT.
F.A.R. = MAX. 4.0
PROPOSED = 0.75

PARKING TABULATIONS
RETAIL AREA : 7,115 SQ. FT. = 5PS/1000 SQ. FT.
36 SPACES REQUIRED
STORAGE & OFFICE AREA 6,729 SQ.FT. = 1 PS/EMPLOYEE
12 SPACES REQUIRED (PUBLIC IS NOT PERMITTED WITHIN STORAGE / OFFICE AREA)
TOTAL PARKING SPACES REQUIRED : 48
TOTAL PARKING SPACES AVAILABLE : 5

THIS VARIANCE IS REQUESTED TO SATISFY COUNTY ZONING REGULATIONS FOR PARKING SPACES REQUIRED FOR A 1000 SQ. FT. ADDITION OF A PROPOSED STORAGE AREA AND REMOVE THE EXISTING STORAGE TRAILERS WHICH APPEAR TO VIOLATE EXISTING ZONING REGULATIONS
THIS BUILDING HAS BEEN EXISTING AND OPERATING IN THIS CAPACITY FOR MORE THAN 20 YEARS AND THE ADDITION OF THIS PROPOSED STORAGE UNIT SHOULD NOT PRESENT UNDO HARDSHIP TO THE COMMUNITY, THE PUBLIC OR THE PRESENT BUSINESS FUNCTIONS

PREPARED BY

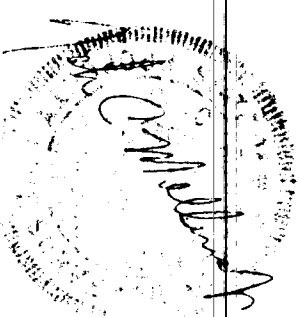
JOHN C. MELLEMA SR., INC.

LAND SURVEYORS

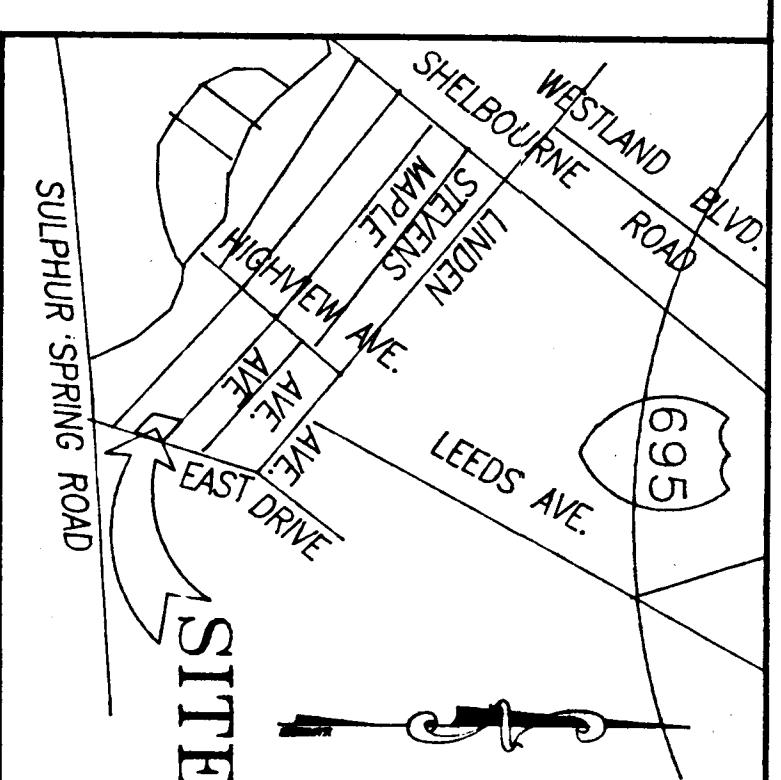
5409 EAST DRIVE BALTIMORE CO. MD. 21227

PHONE (410) 247-7488

FAX (410) 247-2507



BL-CCC/5
D.R.5:5



VICINITY MAP
SCALE 1"=2000'

97-419-A

PLAT TO ACCOMPANY ZONING VARIANCE
(PARKING AND AMENITY OPEN SPACE)
FRANK MORAN & SONS, INC.
AMUSMENT RENTAL & SUPPLY BUSINESS

5408/5410 EAST DRIVE

OWNERS NAME : F. S. J., INC. BALTIMORE CO. MD., 21227

ELEC. DIST.13

COUNCILMANIC DIST.=1

CENSUS TRACT=4308

R.P.D.=325A

SCALE 1"=30'

DATE:MARCH,1997

10000

419